

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

TROY DUANE KAMPS,

Petitioner,

v.

MAGGIE MILLER-STOUT,

Respondent.

NO. CV-07-283-JPH

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Before the Court is the Report and Recommendation to Deny Writ of Habeas Corpus (Ct. Rec. 29). The Report and Recommendation, filed on February 1, 2008, recommends Petitioner's Petition for a Writ of Habeas Corpus (Ct. Recs. 1 & 6) be denied. On February 13, 2008, Mr. Kamps timely filed objections (Ct. Rec. 30).

In his objections, Mr. Kamps first generally argues that the magistrate judge failed to consider his reply brief. Specifically, Mr. Kamps alleges that the magistrate judge erred by finding (1) the Attorney General's statement of facts reliable; (2) that habeas claims 3 and 4 were procedurally barred; (3) that Mr. Kamps received effective assistance of counsel; and (4) that an allegedly improper comment by a bailiff did not violate his right to a fair trial. Mr. Kamps' reply brief and objections restate the arguments contained in his habeas petition. Having reviewed the Report and Recommendation and the files and records herein, the Court adopts the magistrate judge's Report and Recommendation in its entirety.

Accordingly, **IT IS HEREBY ORDERED** that the Report and Recommendation to Deny Writ of Habeas Corpus (Ct. Rec. 29) is **ADOPTED in**

1 **its entirety.**

2 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
3 Order and an Order of Judgment, forward copies to counsel and to Petitioner, and
4 to **close the file.**

5 **DATED** this 25th day of March, 2008.

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7 s/Robert H. Whaley
8 ROBERT H. WHALEY
9 Chief United States District Judge
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